

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 26, 2013

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MI 48042

PRESENT: JANET DUNN, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
KAREN GOODHUE, TREASURER  
DINO F. BUCCI, JR, TRUSTEE  
CLIFFORD W. FREITAS, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel  
Jerome Schmeiser, Planning Consultant  
James VanTiflin, Township Engineer Director  
*(Additional attendance on file at the Clerk's Office)*

Supervisor DUNN called the meeting to order at 7:00 p.m.

**ROLL CALL**

1. Clerk KOEHS called the roll and the Board of Trustees was present.
2. Approval of Agenda Items (with any corrections)

The agenda was reviewed and item #12 was tabled to the meeting of July 10, 2013, Item #5-C-1 and #10 were tabled indefinitely, A Trustee will report on the Conklin Drain and item #32, a request for legal opinion in regards to Fire Department Matter, was added to the Executive Session.

**MOTION by BUCCI seconded by FREITAS to approve the agenda as amended.**

**MOTION carried.**

3. Approval of the Bills

**MOTION by KRZEMINSKI seconded by NEVERS to approve both bill runs as presented.**

**MOTION carried.**

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4. Approval of the previous Meeting Minutes from June 12, 2013.

**MOTION by GOODHUE seconded by FREITAS to approve the meeting minutes from June 12, 2013.**

**MOTION carried.**

5. **Consent Agenda Items:**

A. Clerk's Department:

1. Site Plan Bond Release; Surgical Centers of Michigan Endoscopy; Section 29.
2. Site Development Bond Release; Strathmore Condominium Phase II; Section 4.

B. Water and Sewer Department:

1. Easement Encroachment: Lot 16, Riverwoods Farms Subdivision Sidwell # 08-33-176-024.
2. Easement Encroachment: Lot 299, Summerfield Estates Subdivision No. 4 Sidwell # 08-27-402-002.
3. Easement Encroachment: Lot 92, Lancaster Subdivision, Sidwell # 08-28-251-017.
4. Easement Encroachment: Lot 22, Golfview Estates Subdivision, Sidwell # 08-25-300-007.
5. Request Authorization to Pay Advanced Underground Inspection LLC for Sanitary Sewer Maintenance.

C. Facility and Grounds Department:

1. Request for Township Wide Security System Upgrade.  
(Tabled to July 10, 2013)

D. Human Resources Department:

1. Request Authorization to Advance Employee #1609.
2. Request Authorization to Execute Employment Agreement Between Macomb Township and Employee #1174.

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Trustee Bucci requested item #5-B-1 Easement Encroachment: Lot 16, Riverwoods Farms Subdivision Sidwell # 08-33-176-024 be removed from the Consent Agenda.

**MOTION by GOODHUE seconded by KRZMENSKI to approve the Consent Agenda as amended.**

**MOTION carried.**

6. **Public Comments, Agenda Items Only**

**None.**

**PUBLIC HEARING**

**The Public Hearing opened at 7:04 p.m. No one had concerns or issues regarding the 2013 – 2014 Budget.**

**The Public Hearing closed at 7:05 p.m.**

7. **2013-2014 Budget Hearing.**

Stacy VanReyendam, Finance Director was present to answer any questions the Board may have.

**OLD BUSINESS**

8. **Request to Set the 2014 Millage Rates; Fire Operations, Fire Pension & Law Enforcement.**

Clerk Koebs informed the Board of the proposed Millage Rates for 2014 as follows:

The Fire Operations Millage Rate is currently 1.0588 Mils and it is recommended that the millage be set at 1.0588 for real property only for this fiscal year.

**MOTION by KOEHS seconded by KRZEMENSKI to approve the request to set the millage Fire Operations Millage Rate for 2013-2014 at 1.0588 mils.**

**MOTION carried**

For the Fire Pension the millage is currently set at .0747 and the request is that the mils to be left at .0747 for this fiscal year.

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**MOTION by KOEHS seconded by NEVERS to approve the request to set the Fire Pension Millage Rate for 2013-2014 at .0747 mils.**

**MOTION carried**

The Law Enforcement for 2013 was 1.0601mils and the request is that it be left at 1.0601mils.

**MOTION by KOEHS seconded by FREITAS to set the Law Enforcement Millage Rate for 2013-2014 at 1.0601mils.**

**MOTION carried**

9. Request to Approve the 2013-2014 General Appropriations Act.

Clerk Koehs stated the General Appropriations Act includes various information but primarily is our Budget. It clearly depicts the revenue anticipated and expenses anticipated for the 2013 - 2014 Budget year. Clerk Koehs stated the Township has held two other Budget Hearings, with some feedback and tweaking, so the Budget as presented tonight is the final package. Clerk Koehs mentioned that just because an item is included in the budget as a purposed expense is not authorization by the Board to spend the money. Clerk Koehs also stated as items arrive over the course of the year the Board considers them on a case by case basis.

Trustee Bucci stated he noticed that on page 14 there were monies allocated for Historical expenses. He asked that the township try to raise funds through the private sector before utilizing the budgeted funds. Trustee Bucci mentioned that whatever we can do to raise funds with help from our Historical Commission and its Members would be greatly appreciated.

Stacy VanReyendam, Finance Director was present to answer any questions the Board may have.

**MOTION by KRZEMENSKI seconded by GOODHUE to approve the 2013-2014 General Appropriations Act.**

**MOTION carried**

10. Discussion regarding sub-contracting SMART Transportation Service to Medstar.  
(*Tabled Indefinitely*)
11. Request to Consider Information Technology Proposal for Services.  
(*Tabled from June 12, 2013*)

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Supervisor Dunn's requesting consideration from the Board to engage Plante Moran to assist in determining what the Township requires for support in the IT Department. Supervisor Dunn stated after much research into different companies and what they offer as well as talking to other neighboring Townships, that a professional opinion would benefit the Township in deciding the agreement specifications.

Clerk Koehs asked Supervisor Dunn if she was proposing Plante Moran submit an engagement letter for approval and consideration for their services. Supervisor Dunn stated yes.

**MOTION by KOEHS seconded by KRZEMENSKI to request Plante Moran to conduct a study on the Townships needs in regards to support agreements for the IT Department.**

**MOTION carried**

12. Review of Professional Services.

*(Tabled to the July 10, 2013 meeting)*

**NEW BUSINESS**

13. Request to Solicit Bids for Demolition of Stier's Hardware Building; Romeo Plank Road and 22 Mile Road.

Supervisor Dunn informed the Board that Mr. Stier called her on June 26, 2013 indicating he was waiting on Consumers to shut the gas off to the building. Supervisor Dunn also stated she had received notification from the Department of Roads that approval has been granted to allow Consumers to work in the road way. Consumers will shut off the gas on June 27, 2013. Supervisor Dunn asked Larry Dloski, the Township Attorney, to further explain what the Township needs to do.

Mr. Lawrence Dloski, Township Attorney, stated that the court order the Township obtained is to allow the removal and restoration of the site. The judge put a provision in place stating the owners of Stier's Hardware had until the 28th of June to take the building down themselves and restore the site. Attorney Dloski mentioned no one had heard anything regarding their efforts. Today was the first time they have made any effort to remove the building. Attorney Dloski stated the Board should entertain a motion to put the demolition and restoration out for bids, just in case they don't follow through. Attorney Dloski stated his recommendation is to start the bid process.

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**MOTION by KRZEMENSKI seconded by FREITAS to authorize the Township to solicit bids for the demolition of the Stier's Hardware Building located on Romeo Plank Road and 22 Mile Road.**

**MOTION carried**

14. Request for Pre-Liquor License Qualification for Country Kabob-Section 31, 15433 Hall Road.

**MOTION by BUCCI seconded by GOODHUE to allow the petitioner to proceed forward with the application process for a Pre-Liquor License for Country Kabob, Section 31, located at 15433 Hall Road.**

**MOTION carried**

- 14a. Request for a Class C Liquor License Application for Chop Fusion Restaurant. Section 34. Located at 20755-20757 Hall Road.

**MOTION by KRZEMENSKI seconded by NEVERS to approve the request for a Class C Liquor License for Chop Fusion Restaurant, Section 345, located at 20755 & 20757 Hall Road as requested.**

**MOTION carried**

15. Resolution Request for Run the Plank Event.

Supervisor Dunn mentioned Run the Plank is a 5K charity Run. It will take place on Saturday, June 29, 2013. 'She stated last year it was known as Soles for Souls.

Clerk Koehs stated last year the Board did adopt a Resolution, a simple motion to support the Soles for Souls Run last year. Clerk Koehs mentioned the same three Community Churches are involved in the Run the Plank and the event is bigger than it was last year and believes the Board will certainly support adopting a Resolution to support Run the Plank.

**MOTION by KOEHS seconded by BUCCI to adopt a Resolution in support of the Run the Plank 2013 event.**

**AYE: KOEHS, BUCCI, KRZEMENSKI, GOODHUE, FREITAS, NEVERS, DUNN**

**NAY: NONE**

**ABSENT: NONE**

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**MOTION carried, resolution declared adopted.**

**PLANNING**

16. Request to Approve Technical Change for Tentative Preliminary Plat; Wolverine Country Club II, III and IV.; Section 5.

Jerry Schmeiser spoke regarding the project location size and stated the Planning Commission recommended approval to the Township Board.

**MOTION by KRZEMINSKI seconded by FREITAS to approve the request for a Technical Change for the Tentative Preliminary Plat at Wolverine Country Club II, III and IV, Section 05, located on north side of 25 Mile Road, east of the Middle Branch of the Clinton River, Permanent Parcel No. 08-05-400-031 with the following conditions:**

1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:
  - a. Macomb County Department of Roads
  - b. Office of Public Works Commission of Macomb County
  - c. Macomb County Health Department
  - d. Macomb County Planning Commission
  - e. Michigan Department of Environmental Quality
  - f. All public utility companies affected.
  - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Department of Roads and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.
2. The Township Engineer approves all engineering plans for the computed plat.
3. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval shall be incorporated into the Final Preliminary Plat.
5. That all public streets drain crossings within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on both sides of the

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street and installed in accordance with 17-145 (10) of the Macomb Township Code.

6. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinances.
7. Flood Plain Map Amendments and or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the "20 ft. common area for landscaping purposes" be developed in accordance with the provisions of the Land Division Ordinance of Macomb Township. A plan for the area must be prepared by a registered landscape architect and include a layout of plants proposed for the area, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost list to be prepared by the registered landscape architect who prepared the plan.
10. That a bond in an amount determined by the Township Engineer be posted assuring the development of the 'Landscape Easement.' The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.
11. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by the Clerk's Office prior to the expiration date.
12. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits two (2) copies of the plat to the Supervisors office for addressing. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.



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13. That the petitioner submits two (2) copies of the restrictive covenants that will be recorded with the plat. Said covenants must include an article to provide the perpetual maintenance of all limited common elements that may include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.
14. If a 'phasing plan' has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.
15. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

16. Phase II of the Tentative Preliminary Plat shall be revised to include the detention basin area.
17. The development obtained approval of the engineering plans from the Township on February 23, 2005. Since the technical change includes amending the street pattern and approved construction phasing, the previously approved engineering plans will need to be revised and resubmitted for review and approval.

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17. The developer will be required to submit updated detailed construction cost estimates for review so that the Township can establish an amount for the required Site Development Bond for each phase of this site. These bonds must be posted prior to the construction of each Phase.
18. Prior to any construction of Phase II, the developer will be required to deposit funds with the Township for the construction of a bridge for the 25 Mile Road pathway crossing the Middle Branch of the Clinton River. The cost estimate for this work was approved on August 31, 2004 in the amount of \$72,500.00.

**MOTION carried**

17. Request to Approve Technical Change for Final Preliminary Plat; Wolverine Country Club II, III and IV; Section 5.

Jerry Schmeiser stated the same information applies to the Final Preliminary Plat as the Tentative Preliminary Plat and the Planning Commission recommends approval to the Township Board with the following condition:

**MOTION by FREITAS seconded by NEVERS to approve the request for a Technical Change for the Final Preliminary Plat at Wolverine Country Club II, III and IV, Section 05, located on north side of 25 Mile Road, east of the Middle Branch of the Clinton River, Permanent Parcel No. 08-05-400-031 with the following conditions:**

1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations;
  - a. Macomb County Department of Roads
  - b. Office of Public Works Commission of Macomb County
  - c. Macomb County Health Department
  - d. Macomb County Planning Commission
  - e. Michigan Department of Environmental Quality
  - f. All public utility companies affected.
  - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Department of Roads and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.
2. The Township Engineer approves all engineering plans for the computed plat.

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3. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.
5. That all lots within the Final Preliminary Plat meet the requirements of the Township Zoning Ordinances.
6. Flood Plain Map Amendments and or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
7. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
8. That the 'landscape easement'; that area labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping" has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the Township and the bond posted for the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.
9. That the final preliminary approval expires two years from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Application for extension must be received by the Clerk's Office prior to the expiration date.
10. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits two (2) copies of the plat to the Supervisors office for addressing. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.

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11. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department are to be 4" x 4" black posts with two inch white letter so that the street can be easily identified during the construction of the plat.
12. That the restrictive covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The 'Restrictive Covenants' must be approved by the Township Attorney before an application will be received for Final Plat.
13. That the articles of Incorporation for the Homeowners' Association for the subdivision have been approved by the Township Attorney. The 'Articles of Incorporation' must be approved by the Township Attorney before an application will be received for Final Plat.
14. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

In connection with splitting, combining or otherwise amending the site plan, that any master deeds prepared in connection with said site plan be amended. The amended master deed, including Exhibit B documents, must be submitted to the Township Clerk's Office for review in accordance with Township procedures. The recorded document must be received prior to issuance of building permits.

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**The same procedure would follow for a revision to the site plan.**

- 15. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
- 16. Phase II of the Final Preliminary Plat shall be revised to include the detention basin area.**
- 17. The development obtained approval of the engineering plans from the Township on February 23, 2005. Since the technical change includes amending the street pattern and approved construction phasing, the previously approved engineering plans will need to be revised and resubmitted for review and approval.**
- 18. The developer will be required to submit updated detailed construction cost estimates for review so that the Township can establish an amount for the required Site Development Bond for each phase of this site. These bonds must be posted prior to the construction of each Phase.**
- 19. Prior to any construction of Phase II, the developer will be required to deposit funds with the Township for the construction of a bridge for the 25 Mile Road pathway crossing the Middle Branch of the Clinton River. The cost estimate for this work was approved on August 31, 2004 in the amount of \$72,500.00.**

**MOTION carried**

**WATER AND SEWER DEPARTMENT**

- 18. Request Approval to Pay Engineer's Payment Certificate No. 11 Sanitary Pump Station No. 9 Replacement 21 Mile Road East of Romeo Plank Road SDA Job No. MA09-011.**

Gerry Wangelin, Water & Sewer Superintendent is requesting to pay Ricman Construction One Hundred Six Thousand Four Hundred and Ninety Dollars and no cents (\$106,490.000) For Engineer's Payment Certificate No. 11 Pump Station No. 9 Replacement.

**MOTION by BUCCI seconded by GOODHUE to approve the request to pay Engineer's Payment Certificate No. 11 for Sanitary Pump Station No. 9**

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**replacement located on 21 Mile Road East of Romeo Plank Road in the amount of One Hundred Six Thousand Four Hundred and Ninety Dollars and no cents (\$106,490.000), SDA Job MA09-011.**

**MOTION carried**

19. Request Approval of Change Order No. 2 Buckingham Village Detention Basin SDA Job No. MA99-139.

Gerry Wangelin, Water & Sewer Superintendent is requesting to increase the contract for Buckingham Village in the amount of Twenty-Two Thousand Six Hundred Seventy-Five Dollars and eight cents (\$22,675.08) for Change Order No. 2, Buckingham Village Detention Basin, SDA Job MA-99-139.

Trustee Bucci asked Mr. Wangelin and Mr. Van Tiflin what is the total the Township has paid for the Basin that we shouldn't have had to pay for in the first place? Mr. Wangelin stated pretty close to \$300,000.00. Trustee Bucci then stated that the four or five subdivisions the developer left hanging and the Township Residents have to pay for it. Trustee Bucci asked the Township Attorney if there are implements in place to prevent situations like this from happening again. The Township Attorney stated yes.

Trustee Krzemenski asked Mr. Dloski, Township Attorney, if the Township can go after the developer for this? Mr. Dloski stated the Township did, but midway through the process the developer declared bankruptcy. Mr. Dloski then informed the Board that he has filed claims with the Bankruptcy Court and there is nothing there at this point.

**MOTION by GOODHUE seconded by FREITAS to approval the request for Change Order No. 2 in the amount of Twenty-Two Thousand Six Hundred Seventy-Five Dollars and eight cents (\$22,675.08) for Buckingham Village Detention Basin; SDA Job MA99-139.**

**MOTION carried**

20. Request Approval to Pay Engineer's Payment Certificate No. 3 (Final) Buckingham Village Detention Basin SDA Job No. MA99-139.

Gerry Wangelin, Water & Sewer Superintendent is requesting to pay Pamar Enterprise Forty-Nine Thousand Seven Hundred Ninety Dollars and Fifty-Eight cents (\$49,790.58) For Engineer's Payment Certificate No. 3, Buckingham Village Detention Basin.

**MOTION by GOODHUE seconded by KRZEMENSKI to approve the request to pay Engineer's Pay Certificate No. 3 (Final) to Pamar Enterprise for Buckingham Village Detention Basin; SDA Job MA99-139 in the amount of Forty-Nine Thousand Seven Hundred Ninety Dollars and Fifty-Eight cents (\$49,790.58).**

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**MOTION carried**

**HUMAN RESOURCES DEPARTMENT**

21. Authorization to Extend an Offer of Employment – Utility Worker.

Mr. Brogowicz, Human Resources Director asked the Board for approval to extend conditional offers of employment. Mr. Brogowicz mentioned the Board authorized Human Resources last March to initiate the recruitment process for two Utility Worker positions in the Water & Sewer Department. Mr. Brogowicz informed the Board that there were over 96 applicants for the position of Utility Worker and although the Board only approved the replacement of two of the three vacant positions, the Selection Committee is recommending that the Township fill all three vacant Utility Worker positions at this time with applicants, Michael Azar, Michael Rickert and Jeffrey Ternes. Mr. Brogowicz stated with the Board's approval, the Human Resources will extend conditional offers of employment to Michael Azar, Michael Rickert and Jeffrey Ternes. He then stated that there were four very worthwhile candidates. Mr. Brogowicz stated that at this time the Selection Committee is recommending to the Board one final applicant by the name of Robert Serval. Then, if a Utility worker position were to become available within the next 180 days, that Robert Serval would be considered for that position. This will save money and forgo another recruitment process.

**MOTION by NEVERS seconded by FREITAS to extend offers of employment to 3 Utility Worker contingent on a successful completion of post offer, pre-hire requirements and to keep the fourth candidate in abeyance for 180 days**

**MOTION carried.**

**Public Comments, Non-Agenda Items Only - (3 minute time limit)**

Jaclyn Stephens, a resident of Macomb Township who resides in the Enclave at the Town Center, recently took over the Association in February. She stated her concern over some outstanding bills, the highest is a \$2,500.00 water bill. Ms. Stephens stated the Management Company said the bill is for watering the entire Subdivision and they won't turn the water on until the bill is paid. Ms. Stephens then went on to say she tried to contact the builder, the Leone's, and they hung up on her. She is asking what she can do.

Carl Angelilli spoke regarding the constant noise coming from the fireworks and how it has gotten worse this year. Mr. Angelilli has made many complaints to the Sheriff Department with no results.

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Clerk Koehs stated Mr. Dloski the Township attorney, has already prepared the language that will be distributed this week regarding the new law the Governor has signed restricting the hours. Clerk Koehs mentioned the new law will probably be on the next Board meeting, and the Board will be able to decide whether to impose the restrictions between the hours of midnight and 8:00 a.m. except on New Year's Eve the hours are 1:00 a.m. and 8:00 a.m. Clerk Koehs stated once again it comes down to enforcement.

Barbara Tomaszewski, a resident of the Town Center area, stated she didn't know where Jaclyn Stephens is getting water, because in her subdivision they haven't had water in three years and said she doesn't know what's going on but someone need to take care of the Leones.

Mark Grabow, township resident, spoke regarding the policy for the fueling of township fire vehicles.

Rosemarie Valenti, township resident, spoke about her concerns regarding the Court coming to Macomb Township.

Eddie Jawad also spoke regarding the policy for the fueling of township fire vehicles. He questioned why his service stations weren't being used by the township.

Edward Carey, a resident of Macomb Township and also the Township Elections Manager, spoke regarding recent newspaper articles claiming election violations. Mr. Carey then proceeded to explain the process of how nominating petitions are checked by the Clerk's Department. Mr. Carey stated every signature on the petitions is checked as well as the circulator's signature. If enough valid signatures are verified, that's the extent of our check, per election law.

## **BOARD COMMENTS**

### **22. Supervisor Comments**

Supervisor Dunn informed the residents of a change in routes for Waste Management customers. She stated starting Monday, July 15, 2013, Monday pickup will move to Tuesday pickup for residents between 23 & 24 Mile Road and between Romeo Plank Road and Hayes Road. Waste Management will send out a flier as well as phone and E-mail messages to those who are affected, and the Township will have a map on the website, starting July 10, 2013.

Supervisor Dunn reminded everyone that Romeo Plank will be closed for several hours Saturday morning for "Run the Plank" and wished everyone good luck.



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Supervisor Dunn also reminded everyone to have a safe and happy 4<sup>th</sup> of July.

23. Clerk Comments

None.

24. Treasurer Comments

None.

25. Trustees Comments

Trustee Bucci stated Mr. Van Tiflin passed out a document for the construction cost for Conklin Drain cleanout and restoration from North Avenue to about 1250 feet north of 21 Mile Road. Trustee Bucci stated his request is to have Macomb County Drain Commission prepare specifications for the drain cleanout.

Jim Van Tiflin, township engineer, was present to answer any questions the Board may have.

**MOTION by KRZEMENSKI seconded by KOEHS to authorize the Macomb County Drain Commission to prepare specifications for the Conklin Drain cleanout.**

**MOTION carried.**

**MOTION by BUCCI seconded by GOODHUE to adjourn to Executive session at 7:55 p.m.**

**MOTION carried.**

*The Board returned to regular session at 8:40 p.m.*

**EXECUTIVE SESSION**

26. M & C vs. Macomb Township.

**MOTION by KOEHS seconded by FREITAS to reject the settlement offer as proposed.**

**MOTION carried.**

27. Proposed Settlement of 2012 through 2013 MI Tax Tribunal Appeal; Docket # 436439.

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**MOTION by KOEHS seconded by BUCCI to authorize Legal Counsel to sign the Consent Judgment.**

**MOTION carried.**

28. Proposed Settlement of 2012 through 2013 MI Tax Tribunal Appeal; Docket # 436572.

**MOTION by KOEHS seconded by GOODHUE to authorize Legal Counsel to sign the Consent Judgment.**

**MOTION carried.**

29. Proposed Settlement of 2011 through 2013 MI Tax Tribunal Appeal; Docket # 421613.

**MOTION by KOEHS seconded by FREITAS to authorize Legal Counsel to sign the Consent Judgment.**

**MOTION carried.**

30. Negotiations Update – MAFF Agreements for Full Time and Paid On Call Fire Fighters.

Clerk KoeHS stated the first portion regarding Paid on Call was information only. And in regards to the fulltime Firefighters, to authorize the Supervisor, Fire Chief, Legal Counsel and Human Resources Director to sign the agreement and wait for the actuarial report.

**MOTION by KOEHS seconded by KRZEMENSKI to authorize the Supervisor, Fire Chief, Legal Counsel and Human Resources Director to sign the agreement and wait for the actuarial report.**

**MOTION carried.**

31. Proposed Settlement of 2011 through 2013 MI Tax Tribunal Appeal; Docket # 419677.

**MOTION by KOEHS seconded by NEVERS to authorize Legal Counsel to sign the Consent Judgment.**

**MOTION carried.**

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32. Fire Department Personnel Matter.

**MOTION by KOEHS seconded by NEVERS to accept the resignation.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by GOODHUE to adjourn the Board of Trustees meeting at 8:45 p.m.**

**MOTION carried.**

Respectfully submitted,

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Janet I. Dunn  
Macomb Township Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk